

Carlos Hernández
Mayor

Isis Garcia-Martinez
Council President

Luis González
Council Vice President



Council Members
Jose F. Caragol
Vivian Casáls-Muñoz
Katharine E. Cue-Fuente
Paul B. Hernández
Lourdes Lozano

City Council Agenda November 12, 2013 7:00 P.M.

Call to Order

Roll Call of Council Members

Invocation given by Acting City Clerk, Marbelys Fatjo

Pledge of Allegiance led by Councilman Paul B. Hernandez

Meeting Guidelines

The following guidelines have been established by the City Council:

- **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**
- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

Presentations -

- (1) Mayor Hernandez presents Ms. Alejandra Beltran, a third grade student who contacted the Mayor regarding assistance in obtaining bookbags and school supplies for the poor children in Colombia, with forty book bags and school supplies.
- (2) Council President Garcia-Martinez presents Lisboa Habana Restaurant with a Certificate of Appreciation for their contribution, service and support to the Woman's Club of Hialeah for the breast cancer awareness month event.

- (3) Ricardo Barredo, Missing Children Network, Inc., discusses the “Christian Aguilar Child Alert” mobile application, and demonstrates a power point presentation.
1. Election of Council President and Council Vice President pursuant to §3.01 (c) of the Hialeah City Charter.
 2. Announcement of Amendments/Corrections to the Agenda –
 3. Consent Agenda –
 - A. Request from Rincon de San Lazaro for a procession permit on December 17, 2013, commencing at church grounds, 1190 East 4 Avenue at 8:00 p.m. and ending at church grounds at 10:00 p.m., as approved by the police and fire department. *Pending recommendations from the Fire and Police Department.* (OFFICE OF THE CITY CLERK)
 - B. Request from the Church of St. Benedict for a carnival permit on church grounds, 701 West 77 Street, Hialeah, Florida, from Thursday, February 20, 2014 to Sunday, February 23, 2014. *Pending recommendations from the Fire and Police Department.* (OFFICE OF THE CITY CLERK)
 - C. Request from Fair Productions II, Inc., for a carnival permit to host the 2nd Annual Hialeah Family Fair, at the northeast parking lot of the Hialeah Racetrack, 2200 East 4 Avenue, Hialeah, Florida, from November 22, 2013 to December 1, 2013, as approved by the police and fire department. (OFFICE OF THE CITY CLERK)
 - D. Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a Mutual Aid Agreement with the City of Miami as a participating Municipal Police Department to provide for requesting and rendering assistance for routine and intensive law enforcement situations from the effective date of the agreement through November 12, 2018. (POLICE DEPT.)
 - E. Proposed resolution authorizing the Mayor and the City Clerk, on behalf of the City, to enter into a Mutual Aid Agreement with the City of Doral as a participating Municipal Police Department to provide for requesting and rendering assistance for routine and intensive law enforcement situations from the effective date of the agreement through September 30, 2018. (POLICE DEPT.)
 - F. Request permission to waive competitive bids, since it is advantageous to the City, and issue a purchase order to the Above All Garage Door of South Florida, Inc., for the manufacturing and installation of an automatic entrance gate at the parking lot of the 300 Units, for a total cumulative amount not to exceed \$22,285 for the labor, materials and installation. (PURCHASING DEPT.)
 - G. Request permission to increase transit fares from \$2.00 to \$2.25, in accordance with public transit fares established by the County pursuant to Section 2-150 of the Code of Miami-Dade County. (TRANSIT DIV.)

- H.** Request permission to issue a new purchase order to Hurst Awning Company, Inc., for additional impact sliding glass doors for the third, fourth and fifth level laundry rooms of the 72-Unit Elderly Housing Project, due to necessary changes which were not part of the original contract, in the amount of \$4,175.79. A purchase order was previously issued to this vendor in the prior fiscal year pursuant to Hialeah Bid # 2011/12-3230-00-068, thereby increasing the total amount of the expenditure to \$249,759.90. (CONSTRUCTION AND MAINTENANCE DEPT. & DEPT. OF GRANTS AND HUMAN SERVICES)
- I.** Request permission to issue a new purchase order to H. & F. Plumbing Corporation, for additional plumbing fixtures for the 72-Unit Elderly Housing Project, due to necessary changes which were not part of the original contract, in the amount of \$1,440. A purchase order was previously issued to this vendor in the prior fiscal year, thereby increasing the total amount of the expenditure to \$70,121.71. (CONSTRUCTION AND MAINTENANCE DEPT. & DEPT. OF GRANTS AND HUMAN SERVICES)
- J.** Request permission to issue a new purchase order to H. & F. Plumbing Corporation, for additional plumbing fixtures for the 36-Unit Elderly Housing Project, due to necessary changes which were not part of the original contract, in the amount of \$4,200. A purchase order was previously issued to this vendor in the prior fiscal year, thereby increasing the total amount of the expenditure to \$36,836.56. (CONSTRUCTION AND MAINTENANCE DEPT. & DEPT. OF GRANTS AND HUMAN SERVICES)
- K.** Request permission to issue a new purchase order to Caribe Utilities of Florida Inc., for additional site work required by the Health Department including additional fire hydrant, water main piping and modifications to the existing drainage system along East 32nd Street, for the 36-Unit Elderly Housing Project, due to necessary changes which were not part of the original contract, in the amount of \$13,673.92. A purchase order was previously issued to this vendor in the prior fiscal year, thereby increasing the total amount of the expenditure to \$196,673.92. (CONSTRUCTION AND MAINTENANCE DEPT. & DEPT. OF GRANTS AND HUMAN SERVICES)
- L.** Request permission to issue a new purchase order to Hurst Awning Company, Inc., to replace four thresholds on the ground level French doors with doors approved by the Americans with Disabilities Act, for the 36-Unit Elderly Housing Project, a necessary change which was not part of the original contract, in the amount of \$1,021.85. A purchase order was previously issued to this vendor in the prior fiscal year, thereby increasing the total amount of the expenditure to \$115,814.65. (CONSTRUCTION AND MAINTENANCE DEPT. & DEPT. OF GRANTS AND HUMAN SERVICES)
- M.** Request permission to renew the contract with and issue a purchase order to ECN Intermediate Holding Company, sole source vendor, to purchase CodeRed, including software licensing, configuration, commercial phone lists and maintenance, in the amount of \$31,000 per year for three consecutive years, for a total cumulative amount not to exceed \$93,000. (EMERGENCY MANAGEMENT)
- N.** Request permission to issue a purchase order to TargetSolutions, Inc., sole source vendor, for TargetSolutions educational training on website for firefighters and paramedics, as

well as online courses and tracking of training hours for I.S.O. requirements, for a total cumulative amount not to exceed \$17,215. (FIRE DEPT.)

- O.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Motorola Solutions, Inc., for the purchase of two hundred Motorola Intrinsically Safe batteries to sustain the fire department two way radios with funding from UASI-2011-83 (AEL# 10BC-00-BATT), for a total cumulative amount not to exceed 14,200. (FIRE DEPARTMENT)
- P.** Request permission to utilize Minnesota Multi-State Contracting Alliance for Pharmacy Contract # MMS24001, a competitively bid governmental contract, and issue a purchase order to Cardinal Health 110, Inc., for the purchase of pharmaceuticals, vaccines and medical supplies, for a total cumulative amount not to exceed \$65,000. (FIRE DEPT.)
- Q.** Request permission to award Hialeah bid # 2012/2013-200-12-047 – Medical Supplies, and issue a purchase order to the following vendors: Bound Tree Medical, LLC; Midwest Medical Supply Company, LLC; and Quadmed, Inc., lowest responsive bidders, for the purchase of medical supplies, for a total cumulative amount not to exceed \$85,000. (FIRE DEPT.)
- R.** Request permission to issue a purchase order to Replay Systems, Inc., sole source vendor, for the maintenance of the E911 Call Center Active Voice Recording System through September 30, 2014, for a total cumulative amount not to exceed \$26,353. (INFORMATION TECHNOLOGY DEPT.)
- S.** Proposed resolution approving the expenditure totaling an amount not to exceed \$23,620.00 from the Law Enforcement Trust Fund – *Federal*, to purchase ten Ballistic Intruder G2 Shields with LED lights and ten Shield Carry Bags from Lou's Police Distributor, Inc., lowest quote vendor, upon such costs having been approved by the Chief of Police. (POLICE DEPT.)
- T.** Request permission to extend the contract term between the City and Schindler Elevator Corporation, pursuant to Hialeah bid # 2008/09-8500-36-001, for a period of one year commencing on October 1, 2013 and ending on September 30, 2014, and further request permission for this vendor to service the elevators located at City Hall and the Education and Community Services Department, for an additional amount of \$4,542.72 for the period of one year, for a total cumulative amount not to exceed \$35,485.68. (PURCHASING DEPT.)
- U.** Proposed resolution authorizing the Mayor or designee to renew health insurance coverage to MDW Insurance Group, Inc., a Florida Corporation, with HCC Life Insurance Company, an Indiana Corporation, for calendar year 2014 at a rate of \$3.17 for each employee/retiree for each month for aggregate stop loss coverage in order for the insurance carrier to pay the City up to \$1,000,000.00 if paid claims exceed the predetermined aggregate stop loss attachment point and renew health insurance coverage for calendar year 2014 at a rate of \$9.59 for single coverage and \$32.82 for family coverage for each employee/retiree for each month for specific excess coverage with no

lifetime maximum, for a total annual amount not to exceed \$500,000.00 for calendar year 2014. (RISK MANAGEMENT)

- V. Request permission to renew the competitively bid contract for the Right of Way Maintenance of Section 4 with VisualScape, pursuant to Request for Quotation # 2011/12-3210-12-010, for an additional year effective through September 30, 2014, based on the same unit prices, in an amount not to exceed \$114,900. (STREETS DEPT.)
- W. Request permission to renew the competitively bid contract for the Right of Way Maintenance of Section 3 with VisualScape, pursuant to Request for Quotation # 2011/12-3210-12-010, for an additional year effective through September 30, 2014, based on the same unit prices, in an amount not to exceed \$76,198. (STREETS DEPT.)
- X. Request permission to renew the competitively bid contract for the Right of Way Maintenance of Section 5 with Mystic Gardens Lawn Contractors Inc., pursuant to Request for Quotation # 2011/12-3210-12-010, for an additional year effective for fiscal year 2014, based on the same unit prices, in an amount not to exceed \$66,590. (STREETS DEPT.)
- Y. Request permission to renew the competitively bid contract for the Right of Way Maintenance of Section 2 with General Mow, LLC, pursuant to Request for Quotation # 2011/12-3210-12-010, for an additional year effective through September 30, 2014, based on the same unit prices, in an amount not to exceed \$79,000. (STREETS DEPT.)
- Z. Request permission to renew the competitively bid contract for the Right of Way Maintenance of Section 1 with General Mow, LLC, pursuant to Request for Quotation # 2011/12-3210-12-010, for an additional year effective through September 30, 2014, based on the same unit prices, in an amount not to exceed \$54,240. (STREETS DEPT.)
- 4. First reading of proposed ordinance amending Chapter 2 entitled "Administration", Article III. Boards, Commissions and Committees, and in particular, by adding a new division, Division 8. Pension Reform Committee, to establish a Pension Reform Committee and provide duties and powers of the committee, composition of membership and term of service and board meetings to conduct business; repealing all ordinances or parts of ordinances in conflict herewith; providing for inclusion in code; providing penalties for violation hereof; providing for severability clause and providing for an effective date. (ADMINISTRATION)
- 5. Proposed resolution ratifying and approving the Collective Bargaining Agreement between the International Association of Firefighters, Local 1102, and the City of Hialeah, Florida for a period from October 1, 2013 through September 30, 2016, a copy of which will be on file in the Office of the City Clerk. (ADMINISTRATION)
- 6. First reading of proposed ordinance amending Chapter 94 entitled "Water and Sewers", Article IV. Procedures for Water and Sewer Services, Division 4. Rates, Fees and Charges, of the Code of Ordinances of the City of Hialeah, Florida, and in particular, by adopting and creating a new section, Hialeah Code § 94-163 entitled "Water and Wastewater Payment in lieu of Franchise Fees"; providing a short title; providing findings and intent; repealing all ordinance or parts of ordinances in conflict herewith;

providing penalties for violation hereof; providing for inclusion in code; providing for severability clause and providing for an effective date. (ADMINISTRATION)

7. First reading of proposed ordinance amending Chapter 46 entitled "Historical Preservation" of the Code of Ordinances, and in particular, revising Hialeah Code § 46-40 entitled "Powers and Duties" to codify the power and duty of the Historic Preservation Board to recommend the naming of city buildings, facilities parks, rights-of-way and other city properties to the City Council and to prohibit the naming of such properties after Elected Officials or relatives of Elected Officials during the lifetime of the Elected Officials; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause and providing for an effective date. (ADMINISTRATION)
8. First reading of proposed ordinance amending Chapter 2 entitled "Administration" of the Code of Ordinances, Article V. entitled "Finance", Division 2. entitled "Fees and Charges", and in particular amending Section 2-871 "Duplication and Certification of Public Documents" increasing the Notary Public Fee from one dollar to two dollars and increasing the Property Lien Search service from twenty-five dollars to thirty dollars; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing penalties for violation hereof providing for a severability clause and providing for an effective date. (OFFICE OF THE CITY CLERK)
9. First reading of proposed ordinance amending Chapter 2 entitled "Administration" of the Code of Ordinances, Article V. entitled "Finance", Division 2. Entitled "Fees and Charges", and in particular amending Section 2-871 "Duplication and Certification of Public Documents" to define the term "extensive", and to amend the Special Service Charge; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause and providing for an effective date. (OFFICE OF THE CITY CLERK)
10. First reading of proposed ordinance authorizing the release of a portion of a water and sewer line easement for the installation, operation and maintenance of an underground water and sewer main line on property located at 3240-3430 West 80 Street, Hialeah, Florida, and more particularly described in the surveyor's legal description and sketch attached hereto and made a part hereof as Exhibit "1"; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City to execute the partial release of easement attached hereto as Exhibit "2".
11. Board Appointments –
 - a. Proposed resolution appointment Jorge L. Gonzalez as a member of the Planning and Zoning Board for the remainder of a two (2) year term ending on June 28, 2014. (COUNCILWOMAN CASALS-MUNOZ)

12. Unfinished Business -

13. New Business -

14. Comments and Questions –

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision item.

Attention Applicants: Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

ZONING

- PZ 1.** Second reading and public hearing of proposed ordinance granting a Variance Permit to allow a total lot coverage of 38%, where a maximum of 30% lot coverage is required; a west side setback of 6.9 feet for the existing residence and an east side setback of 3.9 feet, for an open terrace where a minimum of 7.5 feet are required for each setback, contra to Hialeah Code §§ 98-2056(b)(2) and 98-546. **Property located at 333 East 15 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Maria T. Vergaras and Miguel A. Perez*)
- PZ 2.** Second reading and public hearing of proposed ordinance approving a Final Plat of Rose Lawn Commercial, accepting all dedication of Avenues, Streets, Roads or other public ways, together with all existing and future planting of trees; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **Property located on land south of West 49 Street between West 13 Lane and West 14 Lane, Hialeah, Florida.** (*Applicant: Rose Lawn Commercial*)
- PZ 3.** First reading of proposed ordinance granting a Variance Permit to allow construction of a single family home on each of three substandard-sized lots having a width of 40 feet, more or less, where a minimum average width of 75 feet is required, a total area of 5,400 square feet, more or less, where a total area of at least 7,500 square feet is required and a corner side setback of 5.08 feet, where 15 feet are required, contra to Hialeah Code §§ 98-499 and 98-501. **Property located at 501 East 13 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: East 13 Street, LLC*) (*Applicant: East 13 Street, LLC*) **(ITEM WAS PLACED ON TABLE ON OCTOBER 22, 2013)**

NEXT CITY COUNCIL MEETING: November 26, 2013 at 7:00 P.M.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: November 26, 2013 at 6:30 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).